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13 **UNITED STATES DISTRICT COURT**
14
15 **CENTRAL DISTRICT OF CALIFORNIA**

16 U.S. EQUAL EMPLOYMENT
17 OPPORTUNITY COMMISSION,

18 Petitioner,

19 v.

20 WESTERN EXPRESS, INC.,

21 Respondent.

) Case No. 2:15-mc-00055-JFW(ASx)
)
) ~~PROPOSED~~ ORDER RE:
) PETITIONER EEOC'S
) REQUEST FOR VOLUNTARY
) DISMISSAL OF ITS
) APPLICATION TO SHOW
) CAUSE TO ENFORCE ITS
) SUBPOENA ON DEFENDANT
) WESTERN EXPRESS

1 On March 10, 2015, Petitioner United States Equal Employment
2 Opportunity Commission (“Petitioner” or “EEOC”) filed its application to enforce
3 its administrative subpoena (Subpoena Duces Tecum LA 14-028 or “Subpoena”)
4 against Respondent Western Express, Inc. (ECF No. 1- 3). Respondent
5 subsequently produced additional documents to respond to the Subpoena. On May
6 29, 2015, the Court held a hearing and ordered Respondent to further comply with
7 the Subpoena by submitting an additional declaration responsive to the Subpoena
8 demands still in dispute. (ECF No. 16). On June 11, 2015, Respondent sent the
9 declaration to the EEOC as ordered by the Court.

10 Because Respondent has subsequently produced responsive documents and
11 has complied with the Court’s Order, the issues raised by the EEOC’s application
12 to enforce its Subpoena against Respondent have been resolved. Pursuant to
13 Federal Rule of Civil Procedure 41(a)(2), the EEOC requests for the voluntary
14 dismissal without prejudice of the EEOC’s subpoena enforcement action.

15 **FOR GOOD CAUSE SHOWN**, the EEOC’s request for voluntary
16 dismissal of its application to enforce its Subpoena pursuant to Federal Rule of
17 Civil Procedure 41(a)(2) **IS GRANTED. IT IS SO ORDERED** that the EEOC’s
18 application to enforce its Subpoena is hereby dismissed without prejudice.

19
20 Dated: July 29, 2015

/ s /

HON. ALKA SAGAR

United States Magistrate Judge

23 Submitted by:

24 /s/ Derek W. Li

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26 Derek W. Li

27 Attorney for Petitioner EEOC